

REMARKS

Claims 23 and 25-44 are pending and under current examination. Applicants respectfully traverse the following rejections:

(a) rejection of claims 23, 25-27, 34-37, 39, and 44 under 35 U.S.C. § 103(a) as being unpatentable over U.S. Patent No. 5,579,375 (“*Ginter*”) in view of U.S. Patent No. 6,411,802 (“*Cardina*”); and

(b) rejection of claims 28-33, 38, and 40-43 under 35 U.S.C. § 103(a) as being unpatentable over *Ginter* and *Cardina* in view of U.S. Patent Application Pub. No. 2004/0018833 (“*Praestgaard*”).

Rejection of Claims 23, 25-27, 34-37, 39, and 44 under 35 U.S.C. § 103(a):

Applicants request reconsideration and withdrawal of the 23, 25-27, 34-37, 39, and 44 under 35 U.S.C. § 103(a) as being unpatentable over *Ginter* in view of *Cardina*.

The Office Action again has not properly resolved the *Graham* factual inquiries, as required to establish a framework for an objective obviousness analysis. *See* M.P.E.P. § 2141(II), citing to *Graham v. John Deere Co.*, 383 U.S. 1, 148 USPQ 459 (1966), as reiterated by the U.S. Supreme Court in *KSR International Co. v. Teleflex Inc.*, 550 U.S. 398, 82 USPQ2d 1385 (2007). In particular, the Office Action has not properly determined the scope and content of the prior art, at least because the Office Action incorrectly interpreted the content of *Ginter*. Specifically, the newly-applied *Ginter* reference does not teach or suggest what the Office Action attributes to *Ginter*. In addition, the Office Action has not properly ascertained the differences between the claimed invention and the prior art, at least because the Office Action has not properly interpreted the prior art and considered both the invention and the prior art as a whole. *See* M.P.E.P. § 2141(II)(B).

Specifically, *Ginter* does not teach or suggest at least Applicants’ claimed “upon receiving, at the switching apparatus of the mobile telephony network, the call from the caller to

the virtual mobile telephony number, first routing the call to the first telephony number,” as recited in claim 23 (emphasis added) (claims 35 and 39 containing similar recitations). Instead, *Ginter* discloses a call forward method based on home location register (HLR) which “contains a database of information about [mobile telephone] subscriber.” *Ginter*, col. 1, lines 35-37. When forwarding a call, a Transfer-to-Number Request Invoke message 86 is transmitted to HLR 74 and, in response, HLR 74 “returns a Transfer-to-Number Request Return Result message 87 containing a first call forwarding number from the C-number list stored in the database of the HLR associated with the mobile station for which the call was originally intended.” *Ginter*, col. 9, lines 8-16. That is, in *Ginter*’s call forwarding process, a call is first routed to the HLR, which contains a database of information about mobile telephone subscriber. In addition, the C-number list stored in the HLR is associated with mobile station of the destination number. Therefore, it is clear that *Ginter*’s call forwarding method first forward a call to a mobile number. This is clearly different from Applicants’ claimed “upon receiving, ... first routing the call to the first telephony number [associated with a fixed telephony number],” as recited in claim 23 (emphasis added) (claims 35 and 39 containing similar recitations).

Cardina does not cure the deficiencies of *Ginter*. For the reasons presented in the Amendment filed on September 4, 2009, Applicants point out that *Cardina* also does not teach or suggest at least Applicants’ claimed “upon receiving, at the switching apparatus of the mobile telephony network, the call from the caller to the virtual mobile telephony number, first routing the call to the first telephony number,” as recited in claim 23 (emphases added) (claims 35 and 39 containing similar recitations).

Thus, the Office Action has neither properly determined the scope and content of the prior art nor properly ascertained the differences between the prior art and the claimed invention.

Independent claims 23, 35, and 39 are not obvious over *Ginter* and *Cardina*, taken either alone or in combination, and should therefore be allowable. Dependent claims 25-27, 34, 36, 37, 39, and 44 should also be allowable at least by virtue of their dependence from base claim 23, 35, or 39, and because they recite additional features not taught or suggested by *Ginter* and *Cardina*. Accordingly, Applicants respectfully request the withdrawal of the 35 U.S.C. § 103(a) rejection of claims 23, 25-27, 34-37, 39, and 44.

Rejection of Claims 28-33, 38, and 40-43 under 35 U.S.C. § 103(a):

Applicants request reconsideration and withdrawal of the rejection of claim 28-33, 38, and 40-43 under 35 U.S.C. § 103(a) as being unpatentable over *Ginter* and *Cardina* in view of *Praestgaard*.

As explained above, *Ginter* and *Cardina*, taken either alone or in combination, do not render any of Applicants' independent claims 23, 35, and 39 obvious. *Praestgaard* does not cure the deficiencies of *Ginter* and *Cardina*. For example, *Praestgaard* discloses a call forwarding method which routing an incoming call to a mobile device via an intelligent call manager (ICM). *See Praestgaard*, paragraph [0304]. However, *Praestgaard* also does not disclose or suggest at least Applicants' claimed "upon receiving, at the switching apparatus of the mobile telephony network, the call from the caller to the virtual mobile telephony number, first routing the call to the first telephony number," as recited in claim 23 (emphases added) (claims 35 and 39 containing similar recitations).

Independent claims 23, 35, and 39 are not obvious over *Ginter*, *Cardina*, and *Praestgaard*, whether taken alone or in combination, and should therefore be allowable. Therefore, dependent claims 28-33, 38, and 40-43 should also be allowable at least by virtue of their respective dependence from base claim 23, 35, or 39, and because they recite additional

features not taught or suggested by *Ginter*, *Cardina*, and *Praestgaard*. Accordingly, Applicants respectfully request the withdrawal of the 35 U.S.C. § 103(a) rejection.

Conclusion:

Applicants request reconsideration of the application and withdrawal of the rejections. Pending claims 23 and 25-44 are in condition for allowance, and Applicants request a favorable action.

The Office Action contains a number of statements characterizing the related art and the claims. Regardless of whether any such statements are identified herein, Applicants decline to automatically subscribe to any such statements in the Office Action.

If there are any remaining issues or misunderstandings, Applicants request the Examiner telephone the undersigned representative to discuss them.

Please grant any extensions of time required to enter this response and charge any additional required fees to our deposit account 06-0916.

Respectfully submitted,

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